

Title	Truancy Proceedings: Access to Pupil Records (approve forms JV-530 and JV-531)
Summary	The proposed new optional forms would implement recent legislation and improve the ease of obtaining pupil records for certain truancy proceedings.
Source	Family and Juvenile Law Advisory Committee
Staff	Beth Kassiola, 415-865-7697
Discussion	<p>The proposed forms implement recent legislation (Assem. Bill 42 (Zettel)) that amended section 49076 of the Education Code regarding access to pupil records for truancy mediations and truancy petition evidence. Section 49076 provides that a school district is not authorized to allow to any person access to pupil records without parental consent or judicial order. Section 49076(a)(10) provides an exception by permitting the school district to give access to pupil records upon a judicial officer's or probation officer's written certification that the records are for truancy purposes only.</p> <p>The proposed form JV-530 would serve as written certification for pupil records. Form JV-531 would serve as a response form for the local education agency to complete and return to the court with the records.</p>
	Attachment

Education Code, § 49076(a)(10)

1. Child's name:
2. Child's school:
3. Child's school address:
4. School personnel contact (*name, title, and telephone no.*):

(TITLE)

EDUCATION CODE
TITLE 2. ELEMENTARY AND SECONDARY EDUCATION
DIVISION 4. INSTRUCTION AND SERVICES
PART 27. PUPILS
CHAPTER 6.5. PUPIL RECORDS
ARTICLE 5. PRIVACY OF PUPIL RECORDS

§ 49076. Access to records by persons without written parental consent or under judicial order

A school district is not authorized to permit access to pupil records to any person without written parental consent or under judicial order except that:

(a) Access to those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:

(1)–(9) (omitted)

(10) Any judge or probation officer for the purpose of conducting a truancy mediation program for a pupil, or for purposes of presenting evidence in a truancy petition pursuant to Section 681 of the Welfare and Institutions Code. The judge or probation officer shall certify in writing to the school district that the information will be used only for truancy purposes. A school district releasing pupil information to a judge or probation officer pursuant to this paragraph shall inform, or provide written notification to, the parent or guardian of the pupil within 24 hours of the release of the information.